



SWAZILAND GOVERNMENT GAZETTE

VOL. XXXIX]

MBABANE, Friday, OCTOBER 12th., 2001

[No. 759

CONTENTS

No.	Page
ADVERTISEMENTS	
	784
CONTENTS OF SUPPLEMENT	
PART B - ACTS	
10. The Transfer of Convicted Offenders Act, 2001	S1
PART C - LEGAL NOTICES	
150. The Cotton Levy Notice, 2001	S8
151. Rates for Discounts, Rediscunts and Advances Notice	S9
152. The Imposition of Levy on Sugar Cane Growers Notice, 2001	S9

NOTICE

Notice is hereby given that I, Almon Mantenene Mkhabela of Hhohho Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Hlophe after the fourth publication of this notice in each of the four consecutive weeks in the Times of Swaziland / The Swazi Observer being the newspapers circulating in the Region where I reside and designated for this purpose by the Regional Secretary for the Hhohho Region and in the Government Gazette.

The reason I want to assume the surname is because Hlophe is my natural surname.

Any person or persons likely to object to my assuming the surname Hlophe should lodge their objections in writing with me at the address given below and with the Regional Secretary for Hhohho Region.

P. O. Box 1
Mbabane

C1439 4x12-10-2001

NOTICE

Notice is hereby given that I, Nicolus Martin of Manzini Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Mlangeni after the fourth publication of this notice in each of the four consecutive weeks in the Times of Swaziland / The Swazi Observer being the newspapers circulating in the Region where I reside and designated for this purpose by the Regional Secretary for the Manzini Region and in the Government Gazette.

The reason I want to assume the surname is because Mlangeni is my natural surname.

Any person or persons likely to object to my assuming the surname Mlangeni should lodge their objections in writing with me at the address given below and with the Regional Secretary for Manzini Region.

P. O. Box 1949
Mbabane

C1546 4x19-10-2001

NOTICE

Notice is hereby given that I, Vusi Sandile Motsa of Manzini Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Magagula after the fourth publication of this notice in each of the four consecutive weeks in the Times of Swaziland / The Swazi Observer being the newspapers circulating in the Region where I reside and designated for this purpose by the Regional Secretary for the Manzini Region and in the Government Gazette.

The reason I want to assume the surname is because Magagula is my natural surname.

Any person or persons likely to object to my assuming the surname Magagula should lodge their objections in writing with me at the address given below and with the Regional Secretary for Manzini Region.

P. O. Box 183
Manzini
Swaziland

C1584 4x26-10-2001

785

NOTICE

Notice is hereby given that we intend applying for a certified copy of: Deed of Transfer No. 390/1988 dated on 29th July 1988 in favour of **CHRISTOPHER DU PONT** in respect of:

CERTAIN : Lot No. 266 situate in the Town of Manzini, District of Manzini. Swaziland.

MEASURING : 4976 (FOUR NINE SEVEN SIX) square metres.

Any person having objection to the issue of such copy is hereby requested to lodge it in writing with the Registrar of Deeds within three weeks (3) of the last publication of this notice.

DATED AT MATSAPHA THIS 2ND DAY OF AUGUST 2001.

NHLABATSI AND COMPANY
Conveyancers for Applicant
P. O. Box 620
Matsapha

C1575 2x12-10-2001

NOTICE

Notice is hereby given that I, Stephen Majuba Magongo of Hhohho Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Kaledi after the fourth publication of this notice in each of the four consecutive weeks in the Times of Swaziland / The Swazi Observer being the newspapers circulating in the Region where I reside and designated for this purpose by the Regional Secretary for the Hhohho Region and in the Government Gazette.

The reason I want to assume the surname is because Kaledi is my natural surname.

Any person or persons likely to object to my assuming the surname Kaledi should lodge their objections in writing with me at the address given below and with the Regional Secretary for Hhohho Region.

P. O. Box 57
Timpisini
Hhohho

C1627 4x26-10-2001

NOTICE

ESTATE LATE: DOLLY HLONIPHILE DLUDLU ESTATE NO. EM335/99

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28 of 1902 that the First and Final Liquidation and Distribution account will lie open for inspection at the office of the Master of the Regional Administrator for a period of twenty one (21) days from the date of appearance of this notice.

Take Notice further that any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

BEN J. SIMELANE & ASSOCIATES
Attorney for the Executor Dative
2nd Floor Makabongwe House
P.O. Box 1444
Matsapha

C1631 12-10-2001

786

NOTICE

Notice is hereby given that I, Sibusiso John Sibandze of Manzini Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Mabuza after the fourth publication of this notice in each of the four consecutive weeks in the Times of Swaziland / The Swazi Observer being the newspapers circulating in the Region where I reside and designated for this purpose by the Regional Secretary for the Manzini Region and in the Government Gazette.

The reason I want to assume the surname is because Mabuza is my natural surname.

Any person or persons likely to object to my assuming the surname Mabuza should lodge their objections in writing with me at the address given below and with the Regional Secretary for Manzini Region.

CENTRAL PRISON
P. O. Box 442
Manzini

C1550 4x19-10-2001

NOTICE

Notice is hereby given that I, Boy Samson Nsakansaka Jabula Masuku of Shiselweni Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Dlamini after the fourth publication of this notice in each of the four consecutive weeks in the Times of Swaziland / The Swazi Observer being the newspapers circulating in the Region where I reside and designated for this purpose by the Regional Secretary for the Shiselweni Region and in the Government Gazette.

The reason I want to assume the surname is because Dlamini is my natural surname.

Any person or persons likely to object to my assuming the surname Dlamini should lodge their objections in writing with me at the address given below and with the Regional Secretary for Shiselweni Region.

P. O. Box 28
Hluti

C1560 4x19-10-2001

NOTICE

Notice is hereby given that I, Busisiwe Winile Zwane of Manzini Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Nkwanyana after the fourth publication of this notice in each of the four consecutive weeks in the Times of Swaziland / The Swazi Observer being the newspapers circulating in the Region where I reside and designated for this purpose by the Regional Secretary for the Manzini Region and in the Government Gazette.

The reason I want to assume the surname is because Nkwanyana is my natural surname.

Any person or persons likely to object to my assuming the surname Nkwanyana should lodge their objections in writing with me at the address given below and with the Regional Secretary for Manzini Region.

P. O. Box 2062
Manzini

C1562 4x19-10-2001

NOTICE

Notice is hereby given that I, Mabandla Exion Mahlalela of Lubombo Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Ngwenyama after the fourth publication of this notice in each of the four consecutive weeks in the Times of Swaziland / The Swazi Observer being the newspapers circulating in the Region where I reside and designated for this purpose by the Regional Secretary for the Lubombo Region and in the Government Gazette.

The reason I want to assume the surname is because Ngwenyama is my natural surname.

Any person or persons likely to object to my assuming the surname Ngwenyama should lodge their objections in writing with me at the address given below and with the Regional Secretary for Lubombo Region.

P. O. Box 2
Lomahasha

C1637 4x2-11-2001

NOTICE

ESTATE LATE: NKOSANA BEN TSABEDZE ESTATE NO. EH29/2000

Notice is hereby given in terms of Section 51 bis of the Administration of Estates Act No. 28 of 1902 that the First and Final Liquidation and Distribution Account will lie open for inspection at the office of the Master of the High Court of Swaziland, Mbabane for a period of twenty one (21) days from date of appearance of this notice.

Any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

C. J. LITTLER & CO.
P.O. Box 2381
Mbabane

C1632 12-10-2001

NOTICE

ESTATE LATE: FILEKO GULWAKO ESTATE NO. EL114/2001

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of twenty one (21) days from the date of publication of this Notice.

Any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

ALBERT GULWAKO
P.O. Box 19
Matsetsa

C1641 12-10-2001

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO:1582/99

In the matter between:

SWAZILAND DEVELOPMENT & SAVINGS BANK

Plaintiff

and

VALERIE QINISILE HLUBI

Defendant

NOTICE OF SALE

BE PLEASED TO TAKE NOTICE that the property described below will be sold by public auction at Manzini at the entrance of the former Regional Administrator's office Manzini opposite the Park on Friday the 19th day of October 2001 at 2.30 p.m.

TAKE NOTICE further that the conditions of sale may be found at the notice board at High Court and of the former Regional Administrator's office namely;

- CERTAIN : Lot 122, situate in Zakhele Extension No. 1, Township, Manzini District.
MEASURING : 465 (Four Six Five) Square Metres.
IMPROVEMENTS : A dwelling house
RESERVE PRICE : E90,000.00 (Ninety Thousand Emalangeni)

DATED AT MANZINI ON THIS 30TH DAY OF AUGUST 2001.

REGISTRAR OF THE HIGH COURT, MBABANE

C1629 12-10-2001

NOTICE

ESTATE LATE: MFANA BHEKI NDZINISA ESTATE NO. ES84/2001

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of twenty one (21) days from the date of publication of this Notice.

Any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

CHRISTINAH NDZINISA
P.O. Box 17
Magubheleni

C1643 12-10-2001

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO: 2078/94

In the matter between:-

SWAZILAND DEVELOPMENT AND SAVINGS BANK

Plaintiff

and

JAMES DORSIE MALI

Defendant

NOTICE OF SALE IN EXECUTION IMMOVABLE PROPERTY

NOTICE IS HEREBY GIVEN that the undermentioned property will be sold by Public Auction by the Deputy Sheriff for the district of Shiselweni outside the Shiselweni Regional Administration offices at Nhlanguano on Friday the 26th day of October 2001 at 11.00 a.m.

The Property consists of:-

PROPERTY : Erf No. 6 situate in Fourth Street in Nhlanguano Mathendele Township, in the Shiselweni District, Swaziland

MEASURING : 991 (Nine Nine One) Square Metres.

HELD UNDER : Deed of Transfer No. 347/1986

RESERVE PRICE : E45,000.00 (Forty Five Thousand Emalangeni)

The conditions of sale are available for inspection at the offices of the Sheriff of Swaziland at the High Court Building Mbabane, Regional Administrator's Office, Nhlanguano and at the offices of Mlangeni and Company, 3rd Floor, Lihaga Building, Nkoseluhlaza Street, Manzini.

DATED AT MBABANE ON THIS 3RD DAY OF OCTOBER, 2001.

T. S. MAZIYA
Sheriff of Swaziland
High Court Building
P. O. Box 19
Mbabane

C1635 12-10-2001

NOTICE

ESTATE LATE: RICHARD T. SOKO ESTATE NO. EM184/01

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of twenty one (21) days from the date of publication of this Notice.

Any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

SELLINAH SOKO
P.O. Box 74
Mankayane

C1645 12-10-2001

NOTICE

IN THE HIGH COURT OF SWAZILAND

HOLDEN AT MBABANE ON THIS THE 28TH DAY OF SEPTEMBER 2001
BEFORE JUSTICE J. MATSEBULA

CIV. 2559/2001

In the matter between:

ADELINE NNONO NTSHINGILA	Applicant
and	
PUMULA SERVICE STATION (PROPRIETARY) LIMITED	1 st Respondent
and	
THE ATTORNEY GENERAL	2 nd Respondent
and	
THE REGISTRAR OF DEEDS	3 rd Respondent
and	
THE REGISTRAR OF COMPANIES	4 th Respondent

COURT ORDER

HAVING HEARD Counsel for the applicant and there being no appearance for the respondents.

IT IS HEREBY ORDERED:

1. That a rule nisi returnable on the 26th day of October 2001 do hereby issue calling upon all interested persons to show cause on or before the 26th October 2001 why:
 - 1.1 PUMULA SERVICE STATION (PROPRIETARY) LIMITED should not be restored to the register of companies; and
 - 1.2 why the property registered in the name of PUMULA SERVICE STATION (PROPRIETARY) LIMITED, the first respondent, namely Portion 29 (a Portion of Portion 22) of Farm No. 51, Hhohho should not be restored to the first respondent.
2. That the Rule granted in terms of this notice of motion be published once in the Government Gazette and once in a newspaper circulating within Swaziland.

BY ORDER OF COURT
GIVEN UNDER MY HAND AT MBABANE ON
THIS THE 1ST DAY OF SEPTEMBER 2001.

REGISTRAR OF THE HIGH COURT, MBABANE
SWAZILAND

C1662 12-10-2001

791

NOTICE

Notice is hereby given that we intend applying for a certified copy of Title Deed No. 293/1995 dated the 23rd day of June, 1995 made in favour of **CLEMENT THEMBA MABUZA** over:

CERTAIN : Lot No. 569 situate in the Ngwane Park Township, District of Manzini, Swaziland;

MEASURING : 3930 (Three Nine Three Zero) square metres.

Any person having an objection to the issue of such copy by the Registrar is hereby requested to lodge such objection in writing with the Registrar of Deeds within three (3) weeks of the last publication of this notice.

DATED AT MBABANE ON THIS 9TH DAY OF OCTOBER, 2001.

SIGWANE, MANZINI AND PARTNERS
Attorneys for Applicant
P.O. Box A204
Swazi Plaza
Mbabane

C1668 2x19-10-2001

NOTICE

ESTATE LATE: TIKHALI DINABANTU MALAMBE ESTATE NO. EL100/2001

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of twenty one (21) days from the date of publication of this Notice.

Any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

BEAUTY MALAMBE
P.O. Box 1
Ngomane

C1647 12-10-2001

NOTICE

ESTATE LATE: THEMBI MONICA HLANDZE ESTATE NO. EL9/2001

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of twenty one (21) days from the date of publication of this Notice.

Any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

VELAPHI A. HLANDZE
P.O. Box 76
Khubuta

C1647 12-10-2001

792

NOTICE

ESTATE LATE: CASWELL M. SIHLONGONYANE ESTATE NO. EM182/01

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of twenty one (21) days from the date of publication of this Notice.

Any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

MRS THANDEKILE SIHLONGONYANE
P.O. Box 1235
Manzini

C1649 12-10-2001

NOTICE

ESTATE LATE: NOMONDE NOMBUSO TWALA ESTATE NO. EM64/2001

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of twenty one (21) days from the date of publication of this Notice.

Any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

ALI TWALA
P.O. Box 2060
Manzini

C1650 12-10-2001

NOTICE

ESTATE LATE: TEPHI SISANA GWEBU ESTATE NO. EM100/99

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of twenty one (21) days from the date of publication of this Notice.

Any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

MOSES GWEBU
P.O. Box 2100
Manzini

C1652 12-10-2001

NOTICE

ESTATE LATE: DANIEL JETHRO SIMELANE ESTATE NO. EM97/2001

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of twenty one (21) days from the date of publication of this Notice.

Any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

BUSISIWE SIMELANE
P.O. Box 269
Mankayane

C1653 12-10-2001

NOTICE

ESTATE LATE: SIMON V. MABASA ESTATE NO. EM312/99

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of twenty one (21) days from the date of publication of this Notice.

Any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

DUMSILE MABASA
P.O. Box 269
Mankayane

C1656 12-10-2001

NOTICE

ESTATE LATE: VUSUMUZI PATRICK MATSEBULA ESTATE NO. ES142/2000

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of twenty one (21) days from the date of publication of this Notice.

Any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

BUSISIWE MATSEBULA
P.O. Box 200
Hlatikulu

C1657 12-10-2001

NOTICE

ESTATE LATE: THABILE MAVIS MAZIBUKO ESTATE NO. EM156/2001

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of twenty one (21) days from the date of publication of this Notice.

Any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

MALUSI P. MAZIBUKO
P.O. Box 8
Mbabane

C1658 12-10-2001

NOTICE

ESTATE LATE: ENOCK SAZELA CHIYA ESTATE NO. EM321/2000

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of twenty one (21) days from the date of publication of this Notice.

Any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

MRS T. E. CHIYA
P.O. Box 183
Malkerns

C1659 12-10-2001

NOTICE

ESTATE LATE: THOLAKELE P. DLAMINI ESTATE NO. EM118/2000

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of twenty one (21) days from the date of publication of this Notice.

Any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

KHUMBULILE NKONYANE
P.O. Box 4544
Mbabane

C1660 12-10-2001

NOTICE

ESTATE LATE: WILLIAM MKHUMANE ESTATE NO. ES206/2000

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of twenty one (21) days from the date of publication of this Notice.

Any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

ASLINAH MKHUMANE
P.O. Box 252
Hlathikhulu

C1665 12-10-2001

NOTICE

ESTATE LATE: JIMMY JACOB MNDZEBELE ESTATE NO. ES27/01

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of twenty one (21) days from the date of publication of this Notice.

Any person objecting to the account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

LINDIWE MNDZEBELE
P.O. Box 19
Siteki

C1666 12-10-2001

NOTICE

ESTATE LATE: MUSA CANIUS DLAMINI ESTATE NO. EH116/97

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within 30 (thirty) days from date of publication hereof.

DATED AT MANZINI ON THIS 2ND DAY OF OCTOBER 2001.

BEN J. SIMELANE AND ASSOCIATES
Executor Dative
2nd Floor Makabongwe House
Nkoseluhlaza Street
Manzini
P.O. Box 1444
Matsapha

C1630 12-10-2001

NOTICE

ESTATE LATE: JOHNSON M. MAIBILA ESTATE NO. EM319/2001

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within twenty one (21) days after date of publication of this notice.

EXECUTOR DATIVE: Denis Heenan
c/o RJS Perry
2nd Floor, Development House
Swazi Plaza
Mbabane

C1633 12-10-2001

NOTICE

ESTATE LATE: JEAN YVONNE HEENAN ESTATE NO. EH172/2001

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within twenty one (21) days after date of publication of this notice.

EXECUTOR DATIVE: Denis Heenan
c/o RJS Perry
2nd Floor, Development House
Swazi Plaza
Mbabane

C1634 12-10-2001

NOTICE

ESTATE LATE: MILDRED THEMBI MNKOMO ESTATE NO. EH151/2001

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this notice.

MAKHOSINI DLAMINI
P. O. Box 398
Mhlambanyatsi

C1636 12-10-2001

NOTICE

ESTATE LATE: ELIAS MZILIKAZI FAKUDZE ESTATE NO. EL59/99

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this notice.

JUDAS FAKUDZE
P. O. Box 69
Matata

C1638 12-10-2001

797

NOTICE

ESTATE LATE: DAVID F. NHLENGETFWA ESTATE NO. EH111/2001

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this notice.

BREMER M. NXUMALO
P. O. Box 924
Mbabane

C1639 12-10-2001

NOTICE

ESTATE LATE: JAMES MAJALIMANE MHLANGA ESTATE NO. EL151/2001

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this notice.

LINDA S. MHLANGA
P. O. Box 372
Simunye

C1640 12-10-2001

NOTICE

ESTATE LATE: PAUL VUSI NGWENYA ESTATE NO. EL159/2001

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this notice.

DAVID MANDLA NGWENYA
P. O. Box 138
Siphofaneni

C1642 12-10-2001

NOTICE

ESTATE LATE: DUMEZWENI AARON MNGOMEZULU ESTATE NO. EL128/2001

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this notice.

BUSISIWE MNGOMEZULU
P. O. Box 166
Big Bend Lubombo Sugar

C1644 12-10-2001

798

NOTICE

ESTATE LATE: JACKSON NGOZO ESTATE NO. ES224/2000

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this notice.

LUCY NGOZO
P. O. Box 2
Nhlangano

C1646 12-10-2001

NOTICE

ESTATE LATE: WILSON MADLIWA MAMBA ESTATE NO. EL132/2001

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this notice.

IRENE MAMBA
P. O. Box 80
Big Bend

C1651 12-10-2001

NOTICE

ESTATE LATE: ABSALOM ZAZI MABUZA ESTATE NO. EH212/2001

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this notice.

ROBERT A. MABUZA
P. O. Box 1170
Mbabane

C1654 12-10-2001

NOTICE

ESTATE LATE: PETER CHALAGA MABUZA ESTATE NO. EH176/2001

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this notice.

ROBERT A. MABUZA
P. O. Box 1170
Mbabane

C1655 12-10-2001

NOTICE

ESTATE LATE: SABELO VINCENT NDZIMANDZE ESTATE NO. EM74/2001

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this notice.

NOMPENDULO MANGO
P. O. Box 181
Kwaluseni

C1661 12-10-2001

NOTICE

ESTATE LATE: BOY BOY MASEKO ESTATE NO. EM210/2001

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this notice.

MR MPIYAKHE MASEKO
P. O. Box 44
Luyengo

C1663 12-10-2001

NOTICE

ESTATE LATE: JEREMIAH MANQOBA VILANE ESTATE NO. EM78/2001

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this notice.

SIBONGILE VILANE
P. O. Box 111
Sidvokodvo

C1664 12-10-2001

NOTICE

ESTATE LATE: SIPHO NDLANGAMANDLA ESTATE NO. EL157/2001

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this notice.

SIKELELA NDLANGAMANDLA
P. O. Box 36
Siteki

C1667 12-10-2001

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO: 880/2000

In the matter between:

MBABANE CHURCH YOUTH CENTRE

Plaintiff

and

JOSHUA OWINO

Defendant

NOTICE OF SALE

BE PLEASED TO TAKE NOTICE that the underlisted goods will be sold by public auction at Youth Centre, Mbabane on Friday the 12 day of October 2001 at 11:30 a.m. The assets as sold "AS IS" no warranty is given.

Variety of school and office furniture including tables, stools, movable partitioning, filing cabinets, garden chairs, filing cabinets, garden chairs, filing cabinets, computer stand, chairs and clocks.

DATED AT MANZINI ON THIS 3RD DAY OF AUGUST 2001.

DEPUTY SHERIFF
HHOHHO

T. S. MAZIYA
THE REGISTRAR OF THE HIGH COURT
MBABANE

C1628 12-10-2001

SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE

VOL. XXXIX]

MBABANE, Friday, OCTOBER 12th., 2001

[No. 759

CONTENTS

No.	Page
PART B - ACTS	
10. The Transfer of Convicted Offenders Act, 2001	S1
PART C - LEGAL NOTICES	
150. The Cotton Levy Notice, 2001	S8
151. Rates for Discounts, Rediscounts and Advances Notice	S9
152. The Imposition of Levy on Sugar Cane Growers Notice, 2001	S9

THE TRANSFER OF CONVICTED OFFENDERS ACT, 2001

(Act No. 10 of 2001)



I ASSENT

MSWATI III
King of Swaziland

1st October 2001

An Act
entitled

An Act to provide for the transfer of convicted offenders to and from Swaziland and for matter incidental thereto.

ENACTED by the King and the Parliament of Swaziland.

Arrangement of Sections

1. Short title and commencement
2. Interpretation
3. Transfer of convicted offenders
4. Request for transfer of convicted offenders
5. Conditions for transfer of convicted offenders from Swaziland
6. Minister to furnish information
7. Discharge of sentence in Swaziland
8. Effect of transfer for the administering country
9. Pardon, amnesty commutation, etc
10. Termination of enforcement of sentence
11. Information on enforcement by administering country
12. Transfer of convicted offender to Swaziland
13. Conditions for transfer of convicted offenders to Swaziland
14. Sentencing country to furnish information
15. Discharge of sentence in sentencing country
16. Effect of transfer for Swaziland
17. Pardon, commutation
18. Termination of enforcement of sentence in Swaziland
19. Information on enforcement of sentence in Swaziland
20. Supporting documents need to be certified
21. Transit
22. Costs
23. Regulations
24. Transitional provision

PART I: PRELIMINARY

Short title and commencement

1. This Act may be cited as the Transfer of Convicted Offenders Act, 2001. and shall come into force on the day of its publication in the Gazette.

Interpretation

2. In this Act, unless the context otherwise requires -

“administering country” means the country to which the convicted offender may be or has been transferred in order to serve his sentence;

“convicted offender” means a person upon whom a sentence has been imposed by a court;

“court” means a court of competent jurisdiction whether in Swaziland or outside Swaziland;

“Minister” means the Minister responsible for Justice;

“sentence” means any punishment or measure involving deprivation of liberty ordered by a court for a determinate or indeterminate period of time in exercise of its criminal jurisdiction;

“sentencing country” means the country in which the sentence was imposed on the convicted offender who may be or has been transferred.

PART II: TRANSFER OF CONVICTED OFFENDERS FROM SWAZILAND

Transfer of convicted offenders

3. (1) Subject to the provisions of this Act, a convicted offender sentenced to a term of imprisonment by a court in Swaziland may be transferred to another country referred to in this Part as the “administering country” in order that such person may serve in that country the remainder of the sentence.

(2) A convicted offender may be transferred from Swaziland either -

(a) at the request of the Minister;

(b) at the request of the administering country; or

(c) upon application by the convicted offender to the Minister or to the appropriate authority in the administering country.

Request for transfer of convicted offenders

4. All requests or applications for the transfer of convicted offenders under section 3 shall be made in writing to the Minister.

Conditions for transfer of convicted offenders from Swaziland

5. (1) A convicted offender may be transferred from Swaziland to an administering country on the following conditions -

(a) if that offender is a national of the administering country or has close ties with the administering country of a kind that may be recognized by that country for the purposes of this Act;

- (b) if the judgement is final;
- (c) if at the time of the receipt of the request for transfer, the convicted offender still has at least six months of the sentence to serve or if the sentence is indeterminate;
- (d) if the transfer has been consented to by the convicted offender or by a person entitled by law to act on behalf of the convicted offender because of the age, physical or mental condition of the convicted offender; and
- (e) if the Minister and the administering country have agreed to the transfer of the convicted offender from Swaziland.

(2) Where a convicted offender consents to his transfer from Swaziland under subsection (1)(d), such consent shall be given by the convicted offender voluntarily and in writing.

Minister to furnish information

6. For the purpose of enabling a decision to be made on a request or an application for the transfer of a convicted offender from Swaziland under this Part, the Minister shall furnish the administering country with the following documents and information -

- (a) the name, date and place of birth of the convicted offender;
- (b) his address, if any, in the administering country;
- (c) a certified copy of the judgement and a copy or account of the law on which it is based;
- (d) a statement of the facts upon which the conviction and sentence were based;
- (e) the nature, duration and date of commencement of the sentence;
- (f) whenever appropriate, any medical or social reports on the convicted offender, information about his treatment and any recommendation for his further treatment in the administering country;
- (g) any other information which the administering country may specify as required in all cases to enable it to consider the possibility of transfer and to enable it to inform the convicted offender and the Minister of the full consequences of the transfer for the prisoner under this law.

Discharge of sentence in Swaziland

7. The enforcement by the administering country of the sentence imposed in Swaziland on the convicted offender shall, to the extent that it has been enforced in the administering country, have the effect of discharging the sentence in Swaziland.

Effect of transfer for the administering country

8. (1) When the convicted offender is transferred from Swaziland, the administering country shall continue the enforcement of the sentence immediately, unless the law of the administering country requires that such enforcement should be effected by a court or an administrative order.

(2) Subject to section 9, the enforcement in the administering country of the sentence imposed to the convicted offender shall be governed by the law of the administering country.

(3) If according to its law, the administering country cannot enforce any measures imposed by a court in Swaziland on the convicted offender who because of his mental condition has been held not to be criminally responsible for the commission of the offence for which he has been convicted and the administering country is prepared to receive such a person for further treatment, it may notify the Minister of the procedure it may follow to deal with the case of such person.

(4) The administering country shall be bound by the legal nature and duration of the sentence as determined by the court in Swaziland.

(5) If the sentence imposed by the court in Swaziland is by its nature or duration incompatible with the law of the administering country or its law so requires, that country may by court or administrative order impose a sentence of a nature and duration which shall as far as possible correspond with that imposed by the court in Swaziland:

Provided that the nature and duration of such sentence shall not be of greater severity than that imposed by the court in Swaziland.

Pardon, amnesty communication, etc

9. Unless the Minister and the administering country otherwise agree, the power to commute or remit any sentence of or the grant of pardon either free or conditional to a convicted offender sentenced in and transferred from Swaziland to the administering country shall be exercised by His Majesty the King under Part II of the Criminal Procedure and Evidence Act, 1938.

Termination of enforcement of sentence

10. When as a result of any decision or measure the sentence imposed on the convicted offender by a court in Swaziland ceases to be enforceable, the Minister shall as soon as such decision or measure has been taken, inform the administering country and accordingly the enforcement of the sentence in that country shall terminate.

Information on enforcement by administering country

11. (1) The administering country shall notify the Minister -

(a) when the enforcement of the sentence is completed; or

(b) when the convicted offender escapes from custody before he has completed serving his sentence.

(2) Without prejudice to subsection (1), the Minister may at any time request a special report from the administering country concerning the enforcement of the sentence imposed on the convicted offender transferred to that country.

PART III: TRANSFER OF CONVICTED OFFENDERS TO SWAZILAND

Transfer of convicted offender to Swaziland

12. (1) Subject to the provisions of this Act, a convicted offender who is a Swazi citizen or is permanently resident in Swaziland and who is sentenced to a term of imprisonment by a court in a country outside Swaziland referred to in this Part as the "sentencing country" may be transferred to Swaziland to serve the remainder of the sentence.

- (2) The convicted offender referred to in subsection (1) may be transferred to Swaziland either-
- (a) at the request of the Minister; or
 - (b) at the request of the sentencing country; or
 - (c) upon application by the convicted offender to the Minister or to the appropriate authority in the sentencing country.

(3) A request under subsection (2)(a) shall be made in writing by the Minister to the Appropriate authority in the sentencing country.

(4) An application under subsection (2)(c) shall be made in writing by the convicted offender to the Minister.

Conditions for transfer of convicted offenders to Swaziland

13. (1) A convicted offender may be transferred to Swaziland from a sentencing country on the following conditions -

- (a) if that offender is a citizen of Swaziland or is permanently resident in Swaziland;
- (b) if the judgement is final; and
- (c) if at the time of the request for transfer the convicted offender still has at least six months of the sentence to serve or if the sentence is indeterminate; and
- (d) if the transfer has been consented to by the convicted offender or by a person entitled by law to act on behalf of the convicted offender because of the age, physical or mental condition of the convicted offender; and
- (e) if the Minister and the sentencing country have agreed to the transfer of the convicted offender.

(2) Subject to the law of the sentencing country, where a convicted offender consents to his transfer to Swaziland under subsection (1)(d), such consent shall be given by him voluntarily and in writing.

Sentencing country to furnish information

14. For the purposes of enabling the Minister to make a decision on a request by a sentencing country for the transfer of convicted offender or on an application by the convicted offender for his transfer to Swaziland, the appropriate authority of the sentencing country shall furnish the Minister with the following information and documents -

- (a) the name, date and place of birth of the convicted offender;
- (b) his address, if any, in Swaziland;
- (c) a certified copy of the judgement and a copy or account of the law on which it is based;
- (d) a statement of the facts upon which the conviction and sentence were based;
- (e) the nature, duration and date of commencement of the sentence;

- (f) whenever appropriate, any medical or social report on the convicted offender, information about his treatment in the sentencing country and any recommendation for his further treatment in Swaziland; and
- (g) any other information which the Minister may specify as required in all cases to enable him to consider the possibility of the transfer and to inform the convicted offender and the sentencing country of the full consequences of the transfer for the convicted offender under the law of Swaziland.

Discharge of sentence in sentencing country

15. The enforcement in Swaziland of the sentence imposed on the convicted offender by the sentencing country shall, to the extent that the sentence has been enforced in Swaziland, have the effect of discharging the sentence in the sentencing country.

Effect of transfer for Swaziland

16. (1) When the convicted offender is transferred to Swaziland, the Government shall immediately continue the enforcement of the sentence.

(2) Subject to section 17, the enforcement of the sentence in Swaziland shall be governed by the provisions of the Criminal Procedure and Evidence Act, 1938.

(3) If any measures imposed by a court in the sentencing country on the convicted offender cannot be enforced in Swaziland on the ground that because of the mental condition of the offender he has been held not to be criminally responsible for the commission of the offence and the Government is prepared to receive such person for further treatment, the Minister may notify the appropriate authority in the sentencing country of the procedure he may follow to deal with the case of such person.

(4) The Government shall be bound by the legal nature and duration of the sentence as determined by the court in the sentencing country.

(5) If the sentence imposed by the court in the sentencing country is by its nature and duration incompatible with the law of Swaziland, the Director of Public Prosecutions may apply to the High Court for the Court to impose a sentence of a nature and duration which shall as far as possible, correspond with that imposed by the court in the sentencing country:

Provided that the nature and duration of such sentence shall not be of greater severity than that imposed by the court in the sentencing country.

Pardon, communication, etc

17. Unless the Minister and the sentencing country otherwise agree, the power to commute or remit any sentence imposed on the convicted offender by the court in the sentencing country or the grant of pardon either free or conditional to convicted offenders shall be exercised by competent authority of, and in accordance with the law of, the sentencing country.

Termination of enforcement of sentence in Swaziland

18. When, as a result of any decision or measure, the sentence imposed on a convicted offender transferred to Swaziland ceases to be enforceable in the sentencing country, the appropriate authority in that country, shall as soon as such decision or measure has been taken, inform the Minister of the decision or measure and accordingly the enforcement of the sentence in Swaziland shall terminate.

Information on enforcement of sentence in Swaziland

19. (1) The Minister shall notify the appropriate authority in the sentencing country -

(a) when the enforcement of the sentence is completed; or

(b) when the convicted offender escapes from custody before he has completed serving his sentence.

(2) Without prejudice to subsection (1), the appropriate authority of the sentencing country may at any time request a special report from the Minister concerning the enforcement of the sentence imposed on the convicted offender transferred from that country.

PART IV: MISCELLANEOUS

Supporting documents need to be certified

20. Except as provided in section 6(c), any other document required in support of a request or an application for the transfer of the convicted offender under this Act need not be certified.

Transit

21. If the transfer of the convicted offender under this Act involves transit through the territory of any other country or countries, the Minister or the sentencing country, as the case may be, shall give each transit country not less than 7 days' written notice of the intended transfer of the convicted offender and request the appropriate authority in each transit through its territory of the convicted offender.

Costs

22. The cost of the transfer of a convicted offender under this Act shall be defrayed by the Government and the administering country or the sentencing country, as the case may be, in such proportion as the Minister and that country may agree either generally or in regard to any particular transfer.

Regulations

23. The Minister may, by Legal Notice published in the Gazette, make such regulations as may be necessary for the carrying out or giving effect to the provisions of this Act.

Transitional provision

24. The provisions of this Act shall be applicable to the enforcement of any sentence imposed before the coming into force of this Act.

LEGAL NOTICE NO. 150 OF 2001

THE COTTON ACT, 1967
(Act No. 26 of 1967)

THE COTTON LEVY NOTICE, 2001
(Under section 13)

In exercise of the powers conferred by section 13 of the Cotton Act, 1967 the Minister for Agriculture and Co-operatives issues the following Notice-

Citation

1. This Notice may be cited as the Cotton Levy Notice, 2001.

Imposition of levy

2. A levy of 3.0 cents per kilogram of seed cotton produced by a grower, in respect of the year 2000/2001 season, is imposed.

Grower to pay levy

3. A grower shall pay the levy imposed under section 2, of this Notice, and surcharge of it under section 13 (6) of the Cotton Act, to Vunisa Cotton (Pty) Ltd who has agreed with the Cotton Board to deduct the levy from the purchase price of seed cotton purchased and to pay the amount to the Executive Officer in accordance with section 13 (7) of the Act.

Recovery of levy

4. The Cotton Board may recover from a ginner an unpaid levy and surcharge under section 13 of the Act.

Revocation

5. The Cotton Levy Notice 57/2000 is hereby revoked.

N. M. NKAMBULE
Principal Secretary

LEGAL NOTICE NO. 151 OF 2001

THE CENTRAL BANK OF SWAZILAND ORDER, 1974
(Order No. 6 of 1974)

RATES FOR DISCOUNTS, REDISCOUNTS AND ADVANCES NOTICE
(Under Section 38)

In exercise of the powers conferred by Section 38 of the Central Bank of Swaziland Order, 1974, the Central Bank of Swaziland has determined that its rates for discounts, rediscounts and advances shall be 9.50% with effect from 27th September, 2001 until further notice.

M. G. DLAMINI
GOVERNOR
CENTRAL BANK OF SWAZILAND

September 28, 2001

LEGAL NOTICE NO. 152 OF 2001

THE CANE GROWERS ACT, 1967
(Act No. 12 of 1967)

THE IMPOSITION OF LEVY ON SUGAR CANE GROWERS NOTICE, 2001
(Under section 4)

In exercise of the powers conferred by Section 4 of the Cane Growers Act, 1967, the Minister for Agriculture and Co-operatives on the recommendations of the Swaziland Cane Growers Association, hereby issues the following Notice-

Citation and Commencement.

1. This Notice may be cited as the Imposition of Levy on Sugar Growers Notice, 2001 and shall be deemed to have come into force on the 1st April 2001.

Rate of Levy.

2. The Levy shall be at the rate of Two Emalangeni eighty cents per ton of sucrose supplied to, and accepted by, a miller during the period 1st April 2001 to 31st March 2002.

Due Date of Levy.

3. (1) The due date of the levy in respect of each delivery of sucrose during any mill-month shall be the tenth day after the last day of such mill-month.

(2) In the absence of satisfactory proof to the contrary the miller shall be deemed to have accepted sucrose on the date of delivery of such sucrose to him.

(3) For the purpose of this Notice, the expression "mill-month" has the meaning assigned to it by the Schedule to the Sugar Act, 1967.

Method of payment of Levy.

4. Millers shall deduct the amount of the levy imposed on each cane grower from the periodic payments made to such grower for sucrose supplied by him and shall remit the amounts of such levy to the Swaziland Cane Growers Association by the due date.

PRINCIPAL SECRETARY